

UNITED STATES DISTRICT COURT  
for the  
District of Arizona

*11/16/17*

United States of America	)	
v.	)	
Renata Fernandez-Flores,	)	Case No. 17 - SL04 MJ
a.k.a.: Renata Fernandez Flores,	)	
(A 208 189 347)	)	
<u>Defendant</u>	)	

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of June 15, 2017, in the County of Maricopa in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Renata Fernandez-Flores, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about September 30, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**

*CEB*

Reviewed by: Charles E. Bailey, P.S. for AUSA Cassie Bray Woo

Continued on the attached sheet.

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Complainant's signature  
Richard G. Prunty  
Deportation Officer

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Printed name and title

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Judge's signature

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Michelle H. Burns  
United States Magistrate Judge

Printed name and title

City and state: Phoenix, Arizona

Sworn to before me and signed in my presence.

Date: November 16, 2017

## **STATEMENT OF PROBABLE CAUSE**

I, Richard G. Prunty, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On June 15, 2017, Renata Fernandez-Flores was booked into the Maricopa County Jail (MCJ) by the Maricopa County Sheriff's Office on local charges. While incarcerated at the MCJ, Fernandez-Flores was examined by ICE Officer S. Obrand who determined her to be a Mexican citizen, illegally present in the United States. On the same date, an immigration detainer was lodged with the MCJ. On November 15, 2017, Fernandez-Flores was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Fernandez-Flores was held in administrative custody until her criminal and immigration records could be obtained and her identity confirmed.
3. Immigration history checks revealed Renata Fernandez-Flores to be a citizen of Mexico and a previously deported criminal alien. Fernandez-Flores was removed from the United States to Mexico through Nogales, Arizona, on or about September 30, 2015, pursuant to a final order of removal issued by an immigration judge. There is no record of Renata Fernandez-Flores in any Department of Homeland Security

database to suggest that she obtained permission from the Secretary of the Department of Homeland Security to return to the United States after her removal. Fernandez-Flores' immigration history was matched to her by electronic fingerprint comparison.

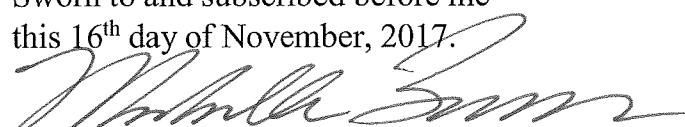
4. On November 15, 2017, Renata Fernandez-Flores was advised of her constitutional rights. Fernandez-Flores freely and willingly acknowledged her rights and declined to make any further statements.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about June 15, 2017, Renata Fernandez-Flores, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about September 30, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

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Richard G. Prunty  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 16<sup>th</sup> day of November, 2017.

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Michelle H. Burns  
United States Magistrate Judge